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# ARE WE THERE YET?

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Changes in laws are reflected – even foreshadowed on occasion – by the field’s scholarship. In the 1980s, there were few who recognized that adults with disabilities were an important resource in the education of students with disabilities or that issues of race and culture had consequence for identifying and delivering services to these children. It is striking that this special issue of the *Learning Disability Quarterly* gives attention to both of these topics.

As we reflect on education reform efforts, we cannot help but wonder, “Are we there yet?” This exercise is somewhat akin to Alice in Wonderland, but in reverse, wondering if the road(s) taken mattered. Perhaps, it is as Kirkegaard said, “Life can only be understood backwards but must be lived forward.”

Unfortunately, any road did not do. We learned through practice, research, litigation, small and gross mistakes, and from parents, advocates, and colleagues that some directions proved less costly to children and to school districts while achieving more effective outcomes.

In reviewing our work over the past several decades, we identified three major foci: (a) access to free appropriate public education; (b) achievement of quality academic, behavioral and social outcomes; and (c) establishment of a unitary inclusive education system to prepare all students for a full and productive adult life.

Let’s take a look at each of these foci.

## ***Have We Achieved Access?***

Prior to the passage of PL 94-142 in 1975, special education reform efforts crept along mostly propelled by parents and parent organizations seeking public school educational opportunities for their children. The reluctant signing of the law by President Gerald Ford led to a rapid increase in the number of students served, with the greatest growth among students with learning disabilities. The key word in the title of the law was “all,”

as in The Education for All Handicapped Children Act. After expensive and often exhaustive court cases, no child was deemed too severely impaired to be denied service. School districts were required to develop and implement programs of benefit to each identified child. This was true at a time in our history when state institutions – Willowbrook being the most notorious – were being emptied and those who had been confined there brought into the community.

Yes, we have achieved access to public education for children with disabilities; however, there continues to be over- and misidentification of minority and poor students. Propelled by parents and litigation, expanded access can be attributed to the hard work of many school administrators and teachers, who faced, and for the most part met, new challenges.

## ***Have We Achieved Quality Outcomes?***

The dual system, general and special education, developed to address access issues in the late 1970s and ‘80s, continues to operate to the detriment of student outcomes. Across the country too many special education programs have continued to use the old “repair shop” model. This early special education design was based on the belief that student deficits could be remediated by expending more money in small classes with specially trained teachers. After being “fixed,” the students would then be returned to an unchanged regular system.

In the decade of the 1980s, as the separate special education system rapidly increased in terms of the number of students served and dollars expended, the results for a majority of the students involved continued to reflect disturbing outcomes, including failure to master IEP goals and grade-level curriculum; exclusion of special education students from standardized testing; high dropout rates; low graduation rates; the absence of return to general education; high unemployment rates; and lack of integration into the community.

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For example:

- Students with disabilities continue to be placed in settings outside of the general education classroom. Federal reporting masks the difference between students served full time in integrated placements and those who are placed as much as 20% of their school time in separate settings.
- The measures of outcomes – scores on standardized tests, graduation rates, and dropout rates – show little improvement while the participation regulations of federal laws present little in the way of teeth.
- The unemployment rate of adults with disabilities – now predominantly persons who have been schooled post-PL 94-142 – remains as great as prior to the passage of the law.
- Federal funding for special education, while greater than previously, still is less than half of the 40% projected in the enactment of PL 94-142.

No, we have not achieved quality outcomes for students, general or special education.

### ***Have We Achieved a Unitary Inclusive System?***

In collecting data to support a unitary school system, we wrote to the Office of Special Education (OSEP), U.S. Department of Education, in 1986. We were seeking information about the number of students who had been certified as “handicapped” and who were subsequently returned to general education. In addition to the specifics of the query, the question was designed to learn about the extent to which the Department’s activities cut across the fracture lines of general and special education. In a polite – yet telling – answer, the deputy director of OSEP replied that while the information we sought is “certainly very interesting data,” the Department did not collect such data (Gartner & Lipsky, 1987).

Numerous efforts, conceptual and programmatic, have sought to bridge the gap between the two systems, general and special education. The 1997 IDEA amendments marked a dramatic step in this development. Five years later, the Congress, amending the Elementary and Secondary Education Act, enacted No Child Left Behind (NCLB), and last year passed the renewal of the Individuals with Disabilities Education Act (IDEA). While there are differences between the 2002 enactment of NCLB and the 2004 amendments to IDEA and their effect on “general” and “special” education, their similarities are fundamental as are their shared consequences for students and teachers.

Both laws:

- emphasize access for all students to the general education curriculum;

- focus on outcomes – what students know and can demonstrate;
- require inclusion of all but a few students in general education assessments and reports. When students with disabilities are not included in the regular assessment, they must be provided an opportunity for alternative assessments;
- express a strong preference – indeed presumption – for students with disabilities to be educated with their nondisabled peers;
- emphasize “prevention.” (IDEA allows local districts to spend up to 15% of their federal funds on “prevention”);
- emphasize parental involvement and opportunities for choice;
- emphasize the importance of teacher (and para-professional) qualifications, especially in the subject matter(s) being taught; and
- embrace standards-based reform efforts.

NCLB’s “adequate yearly progress” standards and school choice and supplemental services entitlement do not have their counterpart in IDEA. Presumably, this is because “progress” for students with disabilities is understood to be individual and the supplemental supports and aids required by IDEA are the equivalent of NCLB’s “supplemental services.”

The converging trajectories of the most recent enactments of NCLB and IDEA provide a more accessible bridge between general and special education. Nonetheless, it is a bridge between what remain two largely separate systems. A decade and a half ago, Tom Gilhool called for the “Effective Education Act of 1990.” Such a law, he said, would “articulate for each child a right to effective education, and for each state and district, each school and teacher, the duty to supply it” (Gilhool, 1989).

To establish a unitary inclusive system requires a single law obligating school districts to provide an effective education for all students. Not a “one-size-fits-all” approach but a nuanced recognition that students are more alike than different. A unitary system would recognize and value the differences among students while honoring the construct that “special education is a service not a place” (Gartner & Lipsky, 2002). The central features of a unitary inclusive system include strong leadership, quality teachers, challenging curriculum, differentiated instruction, careful and regular assessments, engagement of parents and community, and a focus on the meeting of standards and the achievement of outcomes.

No, we are not there yet.

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## REFERENCES

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